

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10299-RGS

NEW ENGLAND WATERPROOFING,  
INC., a Massachusetts corporation, doing  
business under the trademark "Crack-X,"  
Plaintiff

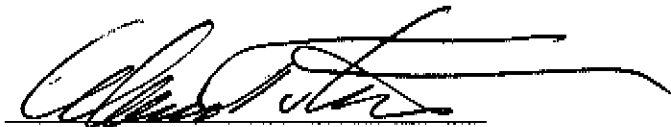
v.

DAVID DALESSANDRI,  
Defendant

FILED IN  
OPEN COURT  
6/10/04  
M. John

**CERTIFICATION SUBMITTED  
PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), Wayne Fortier, an authorized representative of New England Waterproofing, Inc. ("NEWI") and Steven Sager, counsel for NEWI with respect to above captioned matter, certify and affirm they have conferred, (1) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and (2) to consider the resolution of the litigation through the use of alternative dispute resolution programs as those outlined in Local Rule 16.4.



Wayne Fortier, President  
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